



March 1st, 2011

Ms. Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, SQ
Suite TW-A325
Washington DC, 20554

RE: 2010 Annual CPNI Certification and Accompanying Statement of Fractal,
LLC

EB Docket No. 06-36
499 Filer ID No. 827536

Dear Ms. Dortch:

Fractal, LLC hereby submits for filing the Annual Customer Proprietary Network Information ("CPNI") Compliance Certification; EB Docket No. 06-36.
Please do not hesitate to contact me at 800-805-6562 x 211 or mike@fractal.net if you have any questions or concerns.

Sincerely,

Mike Crown
President
Fractal, LLC

Cc: Best Copy and Printing, Inc.

**STATEMENT OF COMPLIANCE WITH THE FCC'S CUSTOMER PROPRIETARY
NETWORK INFORMATION (CPNI) RULES**

1. Fractel, LLCs' operating procedures ensure that Fractel, LLC is in compliance with the FCC's CPNI Rules because disclosure of, or permitting access to, our customers' CPNI is not allowed without obtaining the requisite customer approval, except as required by law, or the exceptions set forth in 47 U.S.C. §222, and Subpart U of Title 47 of the Code of Federal Regulations; 47 C.F.R. §64.2001 through §64.2011.
2. Fractel, LLC follows industry-standard practices to prevent unauthorized access to CPNI by a person other than the subscriber or Fractel, LLC. Electronic files and databases containing CPNI are maintained on computers that are not accessible from the Internet or that are on the Company's intranet behind firewalls that are regularly monitored and tested for effectiveness. In additions, such electronic files and databases may be accessed only by authorized Company employees who have been provided a currently effective strong long ID and password (said password is periodically changed).

However, Fractel, LLC cannot guarantee that these practices will prevent every unauthorized attempt to access, use, or disclose personally identifiable information. Therefore

- a. If an unauthorized disclosure were to occur, Fractel, LLC shall provide notification of the breach within seven (7) days to the United States Secret Service ("USSS") and the Federal Bureau of Investigation ("FBI") via a central reporting facility accessed through a link maintained by the FCC at <http://www.fcc.gov/eb/cpni/>.
 - b. Fractel, LLC shall wait an additional seven (7) days from its government notice prior to notifying the affected customers of the breach.
 - c. Notwithstanding the provisions in subparagraph b above, Fractel, LLC shall not wait the additional seven (7) days to notify its customers if Fractel, LLC determines there is an immediate risk of irreparable harm to its customers.
 - d. Fractel, LLC shall maintain records of discovered breaches for a period of at least two (2) years.
3. Fractel, LLC has internal procedures in place to educate our employees about CPNI and the disclosure of CPNI as well as the appropriate systems to identify the status of a customer CPNI approval before the use of CPNI. All employees are trained as to when they are, and are not authorized to use CPNI upon employment. Violation of these procedures by Company employees will lead to disciplinary action (including remedial training, reprimands, unfavorable performance reviews, probation, and termination), depending upon the circumstances of the violation.
 - a. Specifically, Fractel, LLC prohibits its personnel from releasing CPNI based upon a customer-initiated telephone call except under the following three (3) circumstances:
 - i. When the customer has pre-established a password.

- ii. When the information requested by the customer is to be sent to the customer's address of record, or
 - iii. When Fractel, LLC calls the customer's telephone numbers of record and discusses the information with the party initially identified by customer when service was initiated.
- 4. Fractel, LLC maintains a record of its own and its affiliates' sales and marketing campaigns that use Fractel, LLC's customers' CPNI. The record will include a description of each campaign, the specific CPNI that was used in the campaign, and what products and services were offered as part of the campaign. This information regarding sales and marketing campaigns shall be maintained for a minimum period of two (2) years.

Annual 47 C.F.R. § 64.2009(e) CPNI Certification Template EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2011 covering the prior calendar year 2010

1. Date filed: March 1, 2011
2. Name of company(s) covered by this certification: Fractal, LLC
3. Form 499 Filer ID: 827536
4. Name of signatory: Mike Crown
5. Title of signatory: President/CEO

I, Mike Crown, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. See 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, recordkeeping, and supervisory review) set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year. The steps the company has taken to protect CPNI include updating its CPNI practices and procedures and conducting new training designed to ensure compliance with the FCC's modified CPNI rules.

The company has not received customer complaints in the past year concerning the unauthorized release of CPNI.

Officer's Printed Name

Mike Crown

Officer's Signature

Mike Crown

Title

President

Date

3/1/11